



**Fw: Tipton visits old, leaky mines**

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Change is the only constant.

- Heraclitus

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**Tipton visits old, leaky mines**

Congressman: Tour helps generate cleanup ideas

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Photo by: STEVE LEWIS/Durango Herald

Rep. Scott Tipton, R-Cortez, left, and Steve Fearn, a consultant with the Animas River Stakeholders Group, look over toxic drainage from the Red and Bonita Mine.

**By Dale Rodebaugh**

SILVERTON – Rep. Scott Tipton, R-Cortez, toured an old mining area in the San Juan Mountains on Wednesday to familiarize himself with issues involving toxic mine drainage.

Tipton spent three hours near Gladstone, now a ghost town, where four abandoned mines are spewing up to 800 gallons a minute of toxic waste into the Cement Creek, a tributary to the Animas River.

Waste from abandoned mines – iron, zinc, cadmium, copper, aluminum and lead – have compromised water quality in the Animas as far as Bakers Bridge.

Tipton's guides were Peter Butler and Steve Fearn of the Animas River Stakeholders Group, a coalition of individuals, groups and agencies interested in cleaning the pollution.

"It's good to get on-site to get your own visual impact," Tipton said. "I get ideas on how we can work collaboratively to solve problems and identify possible obstacles to achieving the goal."

A major hindrance to tackling toxic-waste projects is the lack of a good Samaritan legal shield, Fearn and Butler said. Groups that take on projects are fair game for liability lawsuits, they said.

Fearn is a mining engineer and member of the Southwestern Water Conservation District that covers nine counties. Butler is chairman of the state Water Quality Control Commission.

Opposition to creating good Samaritan legislation comes from some who say it is a way for miners to elude responsibility and others who say it could irrevocably damage the Clean Water Act.

Butler and Fearn explained the formation of the Animas River Stakeholders Group in 1994. It was born of concern that the Colorado Department of Public Health and Environment, the Water Quality Control Commission and the Environmental Protection Agency would impose environmental standards in San Juan County.

"We want to improve water quality," Butler said. "We don't want to fix blame."

Fearn said, "We're interested in the truth, and when we know what the truth is, we'll know what to do."

The longest stop was at the Red and Bonita Mine, where 300 gallons a minute of pollutants are spilling down the slope on the way to Cement Creek.

Cement Creek is so polluted it has never supported aquatic life, Butler said.

Cordel Schmidt with a consultant firm to the Bureau of Land Management explained how his crew at the Red and Bonita was trying to determine the source of the drainage.

The Red and Bonita and other abandoned mines didn't leak at such a rate before three bulkheads were installed in the American Tunnel to stop drainage there.

Tipton said the visit was a good primer for a time when good Samaritan or other legislation affecting area mines or mine-waste cleanup comes before committees or comes up for a vote in Washington.

Tipton's visit to the 3rd Congressional District focused on several environmental projects, including a hydroelectric plant in Creede and a program to thin forests to produce wood chips to fuel a power plant in Pagosa Springs.

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Photo by: STEVE LEWIS/Durango Herald

The Red and Bonita Mine and three other nearby mines are responsible for about 800 gallons of toxic waste every minute, says Peter Butler of the Animas River Stakeholders Group.

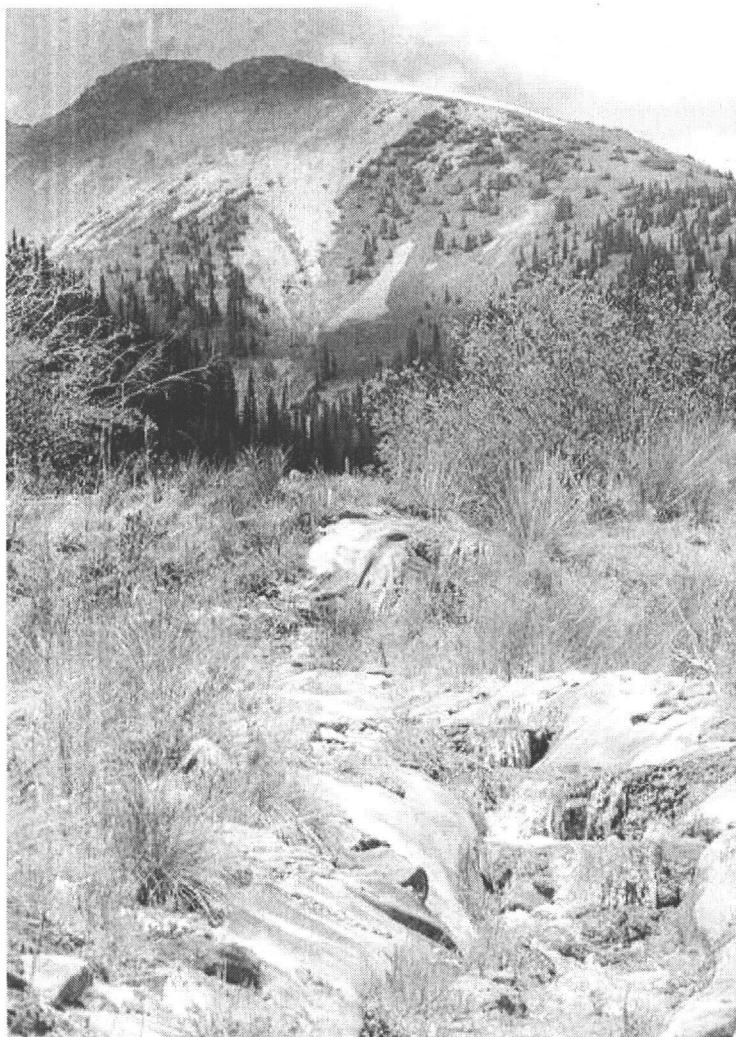


Photo by: STEVE LEWIS/Durango Herald

This passive-treatment system drains 30 to 40 gallons per minute of iron, zinc and other minerals from the Elk Tunnel Mine, says Peter Butler of the Animas River Stakeholders Group.

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